

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

VICTOR MANUEL QUINTERO,

Case No. 1:22-cv-01568-JLT-SAB-HC

Petitioner,

**ORDER TO SHOW CAUSE WHY STAY
SHOULD NOT BE VACATED**

V.

TRISTAN LEMON,

Respondent.

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 20, 2023, the Court stayed the instant federal habeas proceedings in light of Petitioner’s California Senate Bill 775 petition that is pending in state court. The Court ordered Petitioner to file an initial status report within thirty days of the date of service of the order and every ninety days thereafter. (ECF No. 16.)

On July 20, 2023, Petitioner filed his initial status report. (ECF No. 17.) Over ninety days have passed, and Petitioner has not filed a subsequent status report. Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” The Court previously notified Petitioner that not complying with the Court’s order would result in the Court vacating the stay. (ECF No. 16 at 2.)

11

Accordingly, it is HEREBY ORDERED that within **TWENTY-ONE (21) days** of the date of service of this order, Petitioner shall SHOW CAUSE why the stay should not be vacated.

IT IS SO ORDERED.

Dated: **November 6, 2023**



UNITED STATES MAGISTRATE JUDGE